

103(a) as being unpatentable over Mann in view of Brostedt (WO 98/25250). Claims 38-54 are pending in this application. Neither rejection is well taken.

To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(b), the Examiner must show in a single prior art reference each and every element of the claim in issue, either expressly described or under principles of inherency. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2121 (8th ed., Aug. 2001), *quoting* Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th ed. 2001), p. 2100-69.

Claims 38 and 48, for example, recite a combination including, among other things, using "real-time instructional feedback of a user engaged in an activity" that allows "the user to perform the activity while viewing the displayed signal." Mann does not teach at least these features of Applicants' claimed invention.

By contrast, Mann requires the user to watch a recording after the fact or to look away from the activity the user is performing to view the teaching model (see, for example, col. 14, lines 45-47). Therefore, Mann does not anticipate Applicants' claims 38 and 48 for at least this reason. Applicants respectfully request the Examiner to allow claims 38 and 48.

Claims 40-42, 46-47, 50, 51, and 54 depend from claim 38 or 48 and require the recitations of their respective independent claims. These dependent claims are therefore allowable at least due to their dependence from allowable independent claims.

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Applicants respectfully request the Examiner to allow dependent claims 40-42, 46-47, 50, 51, and 54.

Applicants respectfully traverse the Examiner's rejection of claims 39, 43-45, 52, and 53 under 35 U.S.C. § 103(a) as unpatentable over Mann in view of Brostedt.

To establish a proper *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Examiner must demonstrate each of three requirements. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8th ed. 2001). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. See M.P.E.P. § 2143.01 (8th ed. 2001). Third, a reasonable expectation of success must exist. See M.P.E.P. § 2143.02 (8th ed. 2001). Moreover, each of these requirements must be found in the prior art, not in applicant's disclosure. See M.P.E.P. § 2143 (8th ed. 2001).

The Examiner cited Brostedt as showing features of dependent claims 39, 43-45, 52, and 53. Even if it did, however, the combination would still fail to render the claims obvious because of the failings of Mann noted above. Also, as noted above, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Applicants respectfully submit that the Examiner has not shown a motivation to combine Mann with Brostedt to arrive at Applicants' present invention.

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Dependent claims 40-42, 46-47, 50, 51, and 54 require, a combination including, among other things, using "real-time instructional feedback of a user engaged in an activity" that allows "the user to perform the activity while viewing the displayed signal." As noted above, Mann does not disclose or suggest at least these features of Applicants' present invention. Applicants respectfully submit that the Examiner has not provided a motivation to combine features of Brodstedt with Mann to arrive at Applicants' present invention.

Brodstedt discloses using a video of an instructor in which the video is preprocessed so that it is horizontally flipped to provide a mirror image of the instructor. See page 3, lines 24-26. While the Examiner has applied Brodstedt to allege that the reference provides a head mounted display, audio output, earphones, and the video controller including circuitry for generating an aural signal for the audio output (See Office Action, page 4), the Examiner has nevertheless not provided a motivation found with Brodstedt to modify Mann to arrive at all of the features of Applicants' claimed invention. Moreover, the Examiner has not indicated a reasonable expectation of success for making the proposed combination of the references. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of dependent claims 39, 43-45, 52, and 53.

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CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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